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10/23/02**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT

NE

In re application of: Chandran, et al.

Attorney Docket No.: CISC100/1156

Application No.: 09/276,917

Examiner: NGUYEN, DUSTIN

Filed: March 26, 1999

Group: 2156

Title: NETWORK TRAFFIC SHAPING USING
TIME-BASED QUEUES**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office, Attention: Examiner Dustin Nguyen at facsimile number 703-746-7238 on October 21, 2002.

Signed: _____

Joyce L. Ferreira

REQUEST FOR RECONSIDERATION

Box AF
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the final Office Action dated August 15, 2002. The Applicants' undersigned representative appreciates the Examiner's courtesy of the telephonic interviews on October 15 and 18, 2002. In the communications, the undersigned representative specifically pointed out the differences between the invention and the cited references.

REMARKS

Claims 1-30 are pending in the application. Favorable reconsideration of the application is respectfully requested.

I. REJECTIONS OF CLAIMS 1-8, 10-19, 21-28 AND 30 UNDER 35 U.S.C. § 102(b)

Claims 1-8, 10-19, 21-28 and 30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,317,562 ("Nardin"). These claims are believed to be allowable for at least the following reasons set forth below.

The claimed invention relates to apparatus/methods for controlling data flow through a network using a plurality of time-based queues. Specifically, claims 1, 12, 15, 25, 28, and 30

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AMENDMENT TRANSMITTAL

Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	30	MINUS	30	00	x 9 =	x 18 =
Independent Claims	06	MINUS	06	00	x 42 =	x 84 =
Multiple Dependent Claim Present and Fee Not Previously Paid					\$140.00	\$280.00
Total					\$	\$

- ☒ Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.
- ☒ Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. CISC100).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

Haruo Yawata
Limited Recognition under 37 CFR §10.9(b)

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